IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 24th day of March ,2003

Criminal Misc. Bail Application Number 169 of 2003

Order on the Bail Application

CRIMINAL SIDE

Sarwan Singh son of Sri Pyara Singh, resident of villaga Govindpur, P.S. Jaspur, District Udham Singh Nagar.

…….….. Applicant(s)

Versus

State of Uttaranchal. …….. Opposite Party

Arising out of - Case crime no. 112 of 2002,
(Session trial no.200 of 2002)
Under section 307,506 of I.P.C.,
P.S. Jaspur,
District Udham Singh Nagar

By the Court

Hon'ble Irshad Hussain, J.

Heard learned counsel for the applicant-accused and the learned A.G.A. on the third bail application moved on behalf of the applicant-accused.

This is third bail application. Earlier two have been rejected on merit. Role of firing has been assigned to the applicant-accused. Learned counsel submitted that new ground taken is that prior to the alleged incident, an F.I.R. was lodged against the family members of the accused by the brother of the accused. The copy of the F.I.R. is filed on record. I have gone though the said F.I.R. This F.I.R. itself further strengthens the case of the prosecution that there were inimical terms between the parties and considering this, the role assigned to the applicant-accused cannot be said to a concoction at this stage. I do not find it to be a fit case for bail.

Rejected.

(Irshad Hussain, J.)

24.03. 2003./B.